Previous references.

File No. 32
1902-05.

1904

(III-Courts.)

Later references.

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1 to 4.

PART B FOR August 1902,

SUBJECT.

Ningappa of Sorab, accused of theft of cattle at Hirekavasi, Hanagal Taluk, Dharwar District.

FILE No. 32 of 1904-05.

Ningappa of Sorab, accused of the offence of theft of cattle at Hirekavasi, Hanagal Taluk, Dharwar District.

1	From the District Magistrate, Shimoga, No. 83—4, dated the 27th July 1904. Requests that the Hon'ble the Resident may be addressed to ascertain whether the British Government waives its right to demand the surrender of the accused who is under remand in the lock-up at Sagar.
2	To the 1st Assistant Resident, No. 130, dated 10th August 1904. Requests to be informed if the British Government will permit the trial of the accused being conducted at Shimoga, as almost all the witnesses in the case are reported to be residents of Shimoga.
3	From the 1st Assistant Resident in Mysore, No. 4214, dated the 29th August 1904. States that there is no objection to Ningappa being tried in Mysore for the offence of theft committed in the Dharwar District.
4	To the District Magistrate, Shimoga, No. J. 581—C. 32-4, dated the 30th August 1904. States that the 1st Assistant to the Hon'ble the Resident intimates that there is no objection to the accused's trial in Mysore for the offence committed in the Dharwar District.

G.R.S. 11] 1904.

GENERAL AND REVENUE SECRETARIAT.

(Courts)

NOTES.

File No. 32 of 04-05

FILE HEADING.

Nanjappa, of Sonda, accused of the theft of Cattle at Hire Kavosi, Hanagal Taluk. Dharwar District.

From

The District Magistrate, Shimoga.

No. 88/4 Dated 27th July 04 Received 1st August.

Diary No. J 271	Enclos. -	Spare Copies. -	Serial No. 1

BRIEF ABSTRACT OF LETTER.

Requests to state the Court the Accident may be addressed and ascertained whether the British Government wants its right to demand the surrender of the accused, under remand in the Lock-up at Sagar

NOTES AND ORDERS.

Deputy Secretary's remarks:—

1. Call for the head of evidence, by one of the accused is in custody.

D.K.S.C 1.8.04

2. Submitted with draft of a letter to the Dist. Magistrate.

1
for 6-8-04

NOTES—First sheet.

MGCPB—5,000—18-5-04

General and Revenue Secretariat.

File No. 32 of 1906 05

Serial No.

1 Draft Confirming the Same.

1/8/04 1-8-04

J 2 Aug 1904

To the District Magistrate No. 275 dated the 3rd August 1904.

Forwards copy of Secretary's telegram of the 1st instant for calling for the records of evidence in the Case.

From the District Magistrate, Shimoga, No. 94/6 dated the 2nd August 1904.

Submits the records of evidence in the Case.

3. Submitted with a draft to the District Magistrate returning the papers for resubmission with an English translation of the Evidence of a Kurumba.

3/8/04 4-8-04

J 3 Aug 1904

To the District Magistrate, Shimoga.

No. 287 of the 4th August 1904

Returns the records for resubmission

NOTE—Contn. sheet.

MGCPB—10,000—19-4-04

G.R.S. 12]

General and Revenue Secretariat.

File No. 37 of 1904-05

Serial No.

only with an English translation of the same.

From the District Magistrate, Shimoga
No. 117/5 Dt. the 8th August 1904.

Retransmits the records with translation as required.

4 Sent with a Draft to the Asst. Resident
Dharwar & Kittel
10/8/04 Dy Secy)

Sec'y
10-8-04

5 Draft to Asst. Resident
10. 8. 1904

Gen'l Records
12. 8. 04

2 To the 1st Asst. Resident in Mysore. No. 130 Dt. the 10th August 1904.

Requests to be informed if the D. Jdge will permit the trial of the accused in Shimoga as almost all the witnesses in the Case are reported to be residents of Shimoga

3 From the 1st Asst. Resident in Mysore No. 424 Dt.
States that there is no objection to

MGCPB—10,000—19-5-04

G.R.S. 12]

General and Revenue Secretariat.

File No. 32 of 1904-05

Serial No.

Received 10
31-8-04

Nanjappa being tried in Mysore for the offence committed in the Dharwar District 6. Submitted with a draft of the District Magistrate's charge in framing issue of the same

Done
Done
30/8

30/8/04 30.8.04

4. To the District Magistrate, Shimoga.

No. J581/C.32-4 Dated the 30th August 1904

States that the Authorities there do not intimate that there is no objection to the accused being tried in Mysore for the offence committed in the Dharwar District

—

NOTE—Contn. sheet.

MGCPB—10,000—19-5-04

III
Dress
118
(Courts)

No. 1

J271A.

1904. 1905

From

M. S. Narayana Rao Esq^r.
District Magistrate
Shimoga Dist^t.

To

B. K. Venkatavaradaiyengar Esquire
Sec^y. to the Govt. of Mysore
Rev. & Gen^l. Department
Bangalore

Dated. 27th July 1904, Camp Sagar

Despatched

Received

General No. 83

No. 4

Enclosure No.

Requests the Government to address the Hon'ble the British Resident in Mysore to kindly ascertain whether the British Government waives its right to demand the surrender of one Ningappa of Sorab, a Subject of Mysore, who is charged with having committed theft of Cattle at Hirekavasi, Kundagal Taluk Dharwar District.

1/10 83 -4

File No 32

M. No. Office of the District Magistrate
Shimoga District

27th July 1904, Camp Sagar.

From.

M. S. Narayana Rao Esquire
District Magistrate,
Shimoga District

To

B. K. Venkatavarada Iyengar Esquire
Secretary to the Govt. of Mysore
Rev and Genl. Departments
Bangalore.

Sir,

I have the honour to state that one Ningappa bin Nilappa of Sorab, a subject of Mysore was found by 2 men of Negavadi village, Sorab Taluk, taking two bullocks towards Siralkoppa on the morning of the 28th May 1904. On his failing to give satisfactory answer to their questions regarding the bullocks, the

two men suspected the accused Ningappa and took him to their Patel who forwarded the accused and the bullocks to the Anavatti Police Station. The Sorab Taluk Police after investigating the case charged the accused with having either stolen on the night of the 27th May 1904, the two bullocks from the house of one Imam Sab in Hirekavasi, in the Hanagal Taluk, Dharwar District, or received or retained with a dishonest intention knowing the same to be stolen property, an offence punishable under section 380 or 411 I.P. Code. The Amildar Magistrate of Sagar who enquired into the case reports that the evidence recorded by him shews that a theft has been committed by-

the accused of the said Imam Sab's cattle at Hirekavasi in the Dharwar District and that the preliminary proceedings required by the proviso to section 188 of the Criminal Procedure Code have not been taken to give him jurisdiction to try the case.

2. I therefore request that Government may be pleased to make a reference to the Hon'ble the British Resident in Mysore and ascertain whether the British Government waives its right to demand the surrender of the accused person for the offence of theft committed by him in the British Territory.

3. The accused person has been remanded to the Lock-up.

at Sagar as he did not give security for his being let on bail.

5. Except the complainant Imam Sab, all the other witnesses are residents of this District.

I have the honour to be
Sir,
Your most obedient servant,

Mrunalapally
District Magistrate

G.R.S. 26]

File No. 32 of 04-05

Serial No. 2

Diary No. of letter replied to

Pol No. 130 Dy 10/11 transferred
Encl.

General and Revenue Secretariat
(forests)
, the 190 .

To

The Asst Assistant to the
Hon'ble the Resident in Mysore

Date of issue: 11-8-1904

Signed by B.K. Venkatavardiengar

Sir,

I am directed to state that the District Magistrate of the Shimoga District reports that one Nanjappa, a Subject of His Highness the Maharaja of Mysore, was found by 2 men of the Nagavadi village in Soraba Taluk, taking 2 bullocks towards Sirakoppa on the morning of the 28th May 1904; that on his failing to give satisfactory answer to their questions regarding the bullocks, they searched his person and took him to the Village Patel, who forwarded the

over.

SUBJECT.

accused ~~with~~ the 2 bullocks to the Anavatti Police station; that the Sirsi Taluka Police, after investigating the case charged the accused with having either stolen the bullocks in the night of the 27th May ~~last~~ 1904 from the house of one Imam Sab of this Kavasi in the Haveri Taluka of the Dharwar District or received or retained them with dishonest intention knowing the same to be stolen property; that the records of the Assistant Magistrate of Sagar, who enquired into the case, show that the offence of theft ~~has been~~ was committed by the ~~said accused of the said~~ Imam Sab Gulla at this Kavasi that the accused has been remanded to the Lockup at Sagar.

2. As all the witnesses except Imam Sab, the Complainant, are said to be residents of this Shimoga District, the convenience

· List of enclosures.
Only two
NR

Copied by V. Sn. R. 10-8-04
Examined by NR 10.8.04

G.R.S. 27]

GENERAL AND REVENUE SECRETARIAT.

(*Continuation Sheet draft form.*)

If all the parties concerned would best be served by a trial of the accused in the said District I beg therefore to ~~ascertain whether~~ be informed if the British Government will ~~be~~ permit the trial ~~pleased to grant the~~ ~~right to demand the surrender~~ here of the accused ~~Abraham for the offence of theft committed by him in the British territory~~.

3. The records of the case, with an English translation of the depositions and a memorandum of the evidence, are herewith sent for reference and obliging return.

10.8.1904

Secretary

Mr Cooper

DS
10/8/04 on NR
10.8.04

A570. 8

5483.

R. P. B.—7-1904.—1,000.

No. 4214 Encl a set of papers.

FROM

R. C. H. MOSS. KING, ESQ., I. C. S.,
FIRST ASSISTANT TO THE RESIDENT IN MYSORE.

T.No 3193 29.8.04

To

The Dewan of Mysore.

Dated Bangalore, 29th August 1904

SIR,

In reply to Mr.Venkatavardiengar's letter Pol No. 130,dated the 10th August 1904,I am directed to state that there is no objection to Ningappa bin Nallappa being tried in Mysore for the offence of theft committed in Dharwar District.

2. The enclosures received with the letter under reply are herewith returned.

I have the honour to be,

Sir,

Your most obedient servant,

for First Assistant Resident.

G.R.S. 26]

File No. 32

Serial No. 4

Diary No. of letter replied to J 271-K.

No. J 687
C.32-4.

General and Revenue Secretariat
(Courts)
, *the* 30/8/04 190 .

To

The District Magistrate of
the Shimoga District.

Date of issue 30/8/04

Signed by Mr B.K Venkobi-
Varadiengar

His letter No. 83 dated the
27th July 1904, requesting the
Government to move His Highness
the Resident to ascertain whether the
British Government will waive their right to demand
the surrender of one Nijappa of
Sorab, a Subject of H.H. the
Maharajah, for having committed
the offence of theft of cattle at
Hirekavali, Shimoga District.

In reply to the above, I
am directed to state that the
British Government have no

over.

SUBJECT.

the Resident intimate that there is no objection to the accused's ~~being tried~~ trial in his Province for ~~the offence committed~~ the offence in question within the answer limited.

2. The records connected with the case received with his letter No. 117/5 dated the 8th August 1904, are herewith returned.

By order

Asst

Secretary

30/8/04 30.8.04

List of enclosures.

Copied by V.M.R. 30-8-04

Examined by V.M. 30-8-04

MGCPB—5,000—20-5-04